

In the Official Action, the Examiner required election between two inventions, related as combination and subcombination. Applicants respectfully traverse the above restriction requirement and submit that it is inappropriate.

Applicants note that each and every one of the claims in the present application is directed to a system or method for providing outgoing call data to a user, including storing the data in an outgoing call log database accessible by the user. Accordingly, the recitations of each of the independent claims, as well as of the various dependent claims, are so closely related as to make a restriction requirement inappropriate. For at least this reason, it is submitted that the restriction requirement is inappropriate and that all the claims in the present application should be examined together.

Applicant further notes that the search field for the identified inventions appears to be significantly co-extensive. Although there might be specific search areas that are required for particular claims that are not required for the others, this alone is believed to be inadequate and thus an inappropriate basis for requiring restriction.

Moreover, the restriction requirement set forth by the Examiner omits one of the two criteria for a proper restriction requirement established by the U.S. Patent and Trademark Office policy. As set forth in M.P.E.P. §803, "an appropriate explanation" must be set forth by the Examiner as to the existence of a "serious burden" if the restriction requirement were not required. By virtue of the Examiner's requirement and since the claims of the various

groups are so closely related, it is submitted that there is no serious burden on the Examiner in examining all these claims together. Furthermore, as noted above, the search for the claims includes a significant amount of overlap. Thus, additionally, no serious burden would come to bear on the Examiner.

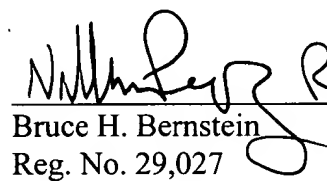
For all of these reasons, and consistent with the office policy as set forth in M.P.E.P. §803, Applicants respectfully request that the Examiner reconsider the position taken in the above-mentioned Official Action and withdraw the restriction requirement in the present application. Accordingly, the Examiner's restriction requirement is believed to be improper and has been traversed for the reasons set forth above.

Nevertheless, in order to be fully responsive, Applicants have elected with traverse the invention identified as Invention II by the Examiner, comprising claims 10-15 and 25-30, in the event that the Examiner chooses not to reconsider or withdraw the restriction requirement.

P20057.A02

Should the Examiner have any questions or comments regarding the present response or this application, the Examiner is respectfully invited to contact the undersigned at the below listed number.

Respectfully submitted,  
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